



# കേരള ഗസറ്റ് KERALA GAZETTE

## അസാധാരണം EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്  
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Thiruvananthapuram,  
Monday

2025 മാർച്ച് 03  
03rd March 2025

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19th Kumbham 1200

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No.

795

### GOVERNMENT OF KERALA

#### Co-operation (B) Department

#### ORDER

G.O.(P)No.20/2025/Co-op

Dated, Thiruvananthapuram 1<sup>st</sup> March, 2025

17<sup>th</sup> Kumbham, 1200.

S. R. O. No. 240/2025

WHEREAS, section 70A of the Kerala Co-operative Societies Act, 1969 (21 of 1969) as it existed before the commencement of the Kerala Co-operative Societies (Amendment) Act, 2023 (9 of 2024), read with sub-rule (4) of rule 67 of the Kerala Co-operative Societies Rules, 1969, provides that the



presiding officer of the Co-operative Arbitration Court shall be an Advocate having not less than seven years bar experience and who shall be appointed by Government for a period of three years;

AND WHEREAS, sub-section (2) of section 70A of the said Act was amended as per the Kerala Co-operative Societies (Amendment) Act, 2023 (9 of 2024) to the effect that the presiding officer of the Arbitration Court shall be an officer of and above the rank of a Munsiff-Magistrate of the judicial service and the said provision came into force on 7<sup>th</sup> June, 2024;

AND WHEREAS, Government as per Notification issued under G.O. (P) No.232/2024/Co-op. dated 31<sup>st</sup> December, 2024 and published as S.R.O. No.1203/2024 in the Kerala Gazette Extraordinary No. 4134 dated 31<sup>st</sup> December, 2024 have issued the Kerala Co-operative Societies (Second Amendment) Rules, 2024 for effecting the amendment made to the Kerala Co-operative Societies Act, 1969;

AND WHEREAS, Government has taken steps to appoint the presiding officer of the Co-operative Arbitration Court as per the amended provisions of the Act, in consultation with the Hon'ble High Court of Kerala;

AND WHEREAS, the presiding officer of the Co-operative Arbitration Court (Northern), who was appointed in pursuance of Notification issued under G.O.(P) No.254/2023/Co-op. dated 26<sup>th</sup> December, 2023 and published as S.R.O. No.1388/2023 in the Kerala Gazette Extraordinary No.4190 dated 26<sup>th</sup> December, 2023 and the presiding officer of the Co-operative Arbitration Court (Southern), appointed in pursuance of Notification issued under G.O.(P) No.45/2024/Co-op. Dated 7<sup>th</sup> March, 2024 and published as S.R.O. No.253/2024 in the Kerala Gazette Extraordinary No.884 dated 7<sup>th</sup> March, 2024 continued to exercise their official duties even after 7<sup>th</sup> June, 2024, the date of commencement of the Kerala Co-operative Societies (Amendment) Act, 2023 till 23<sup>rd</sup> June, 2024 and 8<sup>th</sup> September, 2024 respectively;



AND WHEREAS, difficulties have arisen in giving effect to the provisions of sub-section (2) of section 70A of the Act, in so far as it relates to the uninterrupted functioning of the Co-operative Arbitration Courts;

NOW, THEREFORE, in exercise of powers conferred by section 106A of the Kerala Co-operative Societies Act, 1969 (21 of 1969), the Government of Kerala hereby makes the following order to remove the difficulties, namely:-

1. *Short title and commencement.*- (1) This order may be called the Kerala Co-operative Arbitration Court (Removal of Difficulties) Order, 2025.

(2) It shall come into force at once.

2. *Modifications.*- In sub-section (2) of section 70A of the Kerala Co-operative Societies Act, 1969, the following Explanation shall be inserted, namely:-

*“Explanation.*- For the removal of doubts, it is hereby clarified that the duties performed by the presiding officers of the Co-operative Arbitration Court (Northern) and the Co-operative Arbitration Court (Southern), who were in office at the time of coming into force of the Kerala Co-operative Societies (Amendment) Act, 2023, for the periods from 7<sup>th</sup> June, 2024 to 23<sup>rd</sup> June, 2024 and from 7<sup>th</sup> June, 2024 to 8<sup>th</sup> September, 2024 respectively shall be deemed to have been done under this Act.”.

By order of the Governor,  
DR. VEENA N. MADHAVAN,  
*Special Secretary to Government.*



## Explanatory Note

(This does not form part of the Order, but is intended to indicate its general purport.)

Sub-section (2) of section 70A of the Kerala Co-operative Societies Act, 1969 as amended by the Kerala Co-operative Societies (Amendment) Act, 2023 provides that, the presiding officer of the Arbitration Court shall be an officer of and above the rank of a Munsiff - Magistrate in the Judicial Service and the said provision came into force on 7<sup>th</sup> June, 2024. As per section 70A of the Act as it existed before the commencement of the Kerala Co-operative Societies (Amendment) Act, 2023 (9 of 2024), read with sub-rule (4) of rule 67 of the Kerala Co-operative Societies Rules, 1969, the presiding officer of the Co-operative Arbitration Court shall be an Advocate having not less than 7 years bar experience and who shall be appointed by Government for a period of three years. The presiding officer of the Co-operative Arbitration Court (Northern), who was appointed in pursuance of Notification issued under G.O. (P) No.254/2023/Co-op. dated 26<sup>th</sup> December, 2023 and published as S.R.O. No.1388/2023 in the Kerala Gazette Extraordinary No.4190 dated 26<sup>th</sup> December, 2023 and the presiding officer of the Co-operative Arbitration Court (Southern), appointed in pursuance of Notification issued under G.O.(P) No.45/2024/Co-op. dated 5<sup>th</sup> March, 2024 and published as S.R.O. No.253/2024 in the Kerala Gazette Extraordinary No.884 dated 7<sup>th</sup> March, 2024 have continued to exercise their official duties even after 7<sup>th</sup> June, 2024, the date of commencement of the Kerala Co-operative Societies (Amendment) Act, 2023 till 23<sup>rd</sup> June, 2024 and 8<sup>th</sup> September, 2024 respectively. Difficulties have arisen in giving effect to the amended provisions of sub-section (2) of section 70A of the Act, in so far as it relates to the functioning of the Co- operative Arbitration Courts. Now, the Government have decided to



remove the difficulty in this regard by issuing an order invoking the provisions of section 106A of the said Act.

This order is intended to achieve the above object.

